United Nations E/AC.51/2000/L.6/Add.8

Economic and Social Council

Distr.: Limited
30 June 2000

Original: English

Committee for Programme and Coordination
Fortieth session
5-30 June 2000 (Part I)

Draft report

Addendum

Rapporteur: Mr. Amjad Hussain B. **Sial** (Pakistan)

Programme questions: proposed medium-term plan for the period 2002-2005 (item 3 (b))

Programme 5
Legal affairs

1. At its 8th meeting, on 13 June 2000, the Committee considered the proposed medium-term plan for the period 2000-2005. It had before it proposals in respect of programme 5, Legal affairs.

2. The Legal Counsel introduced programme 5 and responded to questions raised during the Committee's consideration of the programme

Discussion

3. Support was expressed for the programme, the importance of which was underscored. The proposed plan for the programme was considered to be well structured for steering the work of the Office of Legal Affairs on the right course.

4. The computerization of treaty registration and publication and the efforts that had been made by the Office of Legal Affairs to eliminate the backlog in the *Treaty Series* were appreciated. This was a good example of how modern technology could be used to improve efficiency. Appreciation was also expressed for the increasing use of the Internet as a medium for the dissemination of publications emanating from the Office. It was also stressed that the issuance of publications in printed form continued to be justified, since the availability of the Internet was still limited in many countries.

5. It was suggested that the Office of Legal Affairs should continue to improve the quality of the administrative issuances, in order to ensure their consistency with

00-50037 (E) 300600

the Charter of the United Nations, the decisions of the intergovernmental bodies, particularly the General Assembly, and the regulations and rules of the Organization.

6. Concern was expressed that some aspects of the work of the Division for Ocean Affairs and the Law of the Sea might overlap with the mandate of the International Seabed Authority and the International Tribunal for the Law of the Sea. In this context, it was noted that the United Nations Convention on the Law of the Sea had clearly delineated the areas of work of each of the entities in question. The Division should be responsive to the recommendations and priorities that emanated from the Informal Consultative Process on Oceans and Law of the Sea.

Conclusion and recommendations

7. The Committee recommended that the General Assembly approve programme 5, Legal affairs, of the proposed medium-term plan for the period 2002-2005, subject to the following modifications:

(a) ***Paragraph 5.1***

Replace the paragraph with the following text:

"The general objective of the programme is to promote a better understanding of and respect for the principles and norms of international law by Member States in order to support the accomplishment of the objectives of the United Nations";

(b) ***Paragraph 5.4***

In the second sentence, before the word "strengthen", add the words "aim to";

(c) ***Paragraph 5.5***

Replace the paragraph with the following text:

"The objective of this subprogramme is to assist the principal organs of the United Nations by providing legal advice";

(d) ***Paragraph 5.7***

Replace the words "United Nations law" with the words "international law and the principles and norms contained in the Charter of the United Nations, as well as pertinent decisions of relevant intergovernmental organs of the Organization";

(e) ***Paragraph 5.9***

After the paragraph, add a new paragraph reading:

"A further objective of this subprogramme is to ensure that, as subsidiary organs of the United Nations, the ad hoc International Tribunals for the Former Yugoslavia and for Rwanda operate in accordance with the Charter, rules, regulations and policies of the United Nations, including the *Regulations and Rules Governing Programme Planning, the Programme Aspects of Budget, the Monitoring of Implementation and the Methods of Evaluation*, and that, as judicial organs, they act independently of States and the Security Council. In the framework of this subprogramme, the Office of Legal Affairs will advise

the Security Council on legal aspects of the activities of the Tribunals and will advise the Tribunals on their relationship with third States, relevant peacekeeping operations and the host countries.";

(f) ***Paragraph 5.10***

Replace the paragraph with the following text: "Expected accomplishments would include more qualitative legal advice to principal and subsidiary organs of the United Nations";

(g) ***Paragraph 5.12***

Add a second sentence, reading:

"This would include assisting the Organization (Headquarters, regional commissions, other United Nations offices away from Headquarters and peacekeeping and other missions) and other United Nations organizations in the day-to-day administration of their mandates and programmes, through the provision of legal services";

(h) ***Paragraph 5.16***

Insert the word "better" before the word "compliance";

(i) ***Paragraph 5.19***

At the end of the paragraph, add the following: "and implementation of General Assembly resolutions on terrorism, including General Assembly resolution 54/110";

(j) ***Paragraph 5.20***

At the end of the paragraph, add a sentence reading: "Substantive support will also be provided to special committees and open-ended groups established by the Sixth Committee as well as to the International Law Commission";

(k) ***Paragraph 5.21***

Before the last sentence, add a sentence reading: "Increased efforts would be undertaken to make legal instruments available on the web sites in all six official languages of the United Nations, as soon as possible and in conformity with existing mandates governing this issue";

(l) ***Paragraph 5.23***

(i) After the words "process of codification", add the words "dealing with issues of major international concern";

(ii) Add another indicator reading: "an increase in adherence by States to existing instruments";

(iii) At the end of the paragraph, add a sentence reading: "Increased timeliness and availability of codification of international law and legal instruments in all six official languages of the United Nations";

(m) ***Paragraph 5.30***

At the end of the paragraph, add a sentence reading: "The full participation of the Division of Ocean Affairs and the Law of the Sea in

both the informal consultative process on oceans and law of the sea and the Subcommittee on Oceans and Coastal Areas of the Administrative Committee on Coordination is envisaged";

(n) ***Paragraph 5.31***

At the end of the paragraph, add the words "in conformity with the United Nations Convention on the Law of the Sea";

(o) ***Paragraph 5.36***

At the end of the paragraph, add a sentence reading: "Attention will also be given to issues arising from the increasing importance of electronic commerce in international trade";

(p) ***Paragraph 5.46***

Add another indicator of achievement as follows: "the timely, as appropriate, registration of treaties by States, in conformity with Article 102 of the Charter";

(q) Legislative mandates

Add the following General Assembly resolutions related to subprogramme 3:

3006 (XXVII)	**United Nations Juridical Yearbook**
50/53	**Measures to Eliminate International Terrorism**
51/210	**Measures to Eliminate International Terrorism**
52/165	**Measures to Eliminate International Terrorism**
53/108	**Measures to Eliminate International Terrorism**
54/102	**United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law**
54/107	**Implementation of the provisions of the Charter of the United Nations Related to assistance to third States affected by the application of sanctions**
54/110	**Measures to Eliminate International Terrorism**